

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2004-180

April 29, 2004

MAINE PUBLIC SERVICE COMPANY
Proposed Tariff Revisions To Introduce
A New Customer Rate, Rate BEST;
Provides a Discount to Eligible Customers

ORDER APPROVING
RATE SCHEDULE

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

SUMMARY OF DECISION

By this Order, the Commission approves Maine Public Service Company's (MPS's) proposed Rate Schedule, Rate BEST.

DISCUSSION AND DECISION

On March 12, 2004, MPS filed with this Commission a proposed new rate schedule, referred to as, "Pilot Pine Tree Zone – Business Expansion Support Tariff" or "Rate BEST." This rate schedule was filed in response to L.D. 1692¹ and proposed to provide a 25%-50% discount on their regular retail energy and demand charges to eligible Pine Tree Zone businesses within MPS's service territory that add at least 25 new jobs.

On April 27, 2004, based on conversations with the Department of Economic Development (DECD) and the Commission's Staff, MPS filed revisions to Rate BEST to clarify the language in certain sections of the rate schedule and to lower the eligibility requirement for the minimum number of new jobs created from 25 to 15.

We have reviewed the revised Rate Schedule and find that it is reasonably likely to promote incremental load that is both in the interest of ratepayers and is consistent with the State's goal of encouraging economic development in Pine Tree Zones.²

¹ L.D. 1692 was signed into law by the Governor on April 9, 2004 as P.L. 2003, ch. 610, "An Act to Enhance Pine Tree Development Zones." This Act provides guidance for approval of electric rate discounts developed in conjunction with the State's Pine Tree Development Zone program.

² If enacted during the current legislative session, L.D. 1916, An Act to Correct Errors and Inconsistencies in the Laws of Maine, would re-codify this statute as 30-A M.R.S.A. Chapter 206, subchapter 4.

Moreover, the DECD has reviewed the rate schedule and has indicated that it supports its approval.³

Accordingly, we

O R D E R

That the proposed Rate Schedule, Rate Best, as revised and filed by Maine Public Service Company on April 27, 2004, is hereby approved and may become effective on May 1, 2004, as requested by MPS.

Dated at Augusta, Maine, this 29th day of April, 2004.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond
 Reishus

³ The Office of the Public Advocate has also reviewed the filing and has indicated that it does not oppose its approval.

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.